



Hazardous Waste and
Toxics Reduction Program
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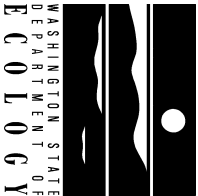


Changes to the Dangerous Waste Regulations

Are You Affected?

Hazardous Waste and Toxics
Reduction Program

Publication #96-403
April 1996



Special Help for Businesses

Contact one of the Department of Ecology's staff of professionals who specialize in waste management and pollution prevention. Our Hazardous Waste Specialists will answer your compliance questions while Toxics Reduction Specialists offer non-enforcement assistance in the area of pollution prevention. Call the regional office near you and ask for help from one of our experts!

Northwest Regional Office - Bellevue	(206) 649-7000
Southwest Regional Office - Lacey	(360) 407-6300
Central Regional Office - Yakima	(509) 575-2490
Eastern Regional Office - Spokane	(509) 456-2926

Call Ecology's Publications Distribution Center at (360) 407-7472 to obtain these and other publications:

- 4 *Dangerous Waste Regulations, Chapter 173-303 WAC, Revised 11/95*
- 4 *Step-by-Step: Fact Sheets for Hazardous Waste Generators, #91-12a-m, Revised 3/96*
- 4 *Transporting Hazardous Waste or Hazardous Materials: Information for Small Quantity Generators, #96-400*
- 4 *What is a Small Quantity Generator? Your Regulatory Status Under the Dangerous Waste Regulations, #96-404*

Call the **Hazardous Waste and Toxics Reduction Program** at (360) 407-6719 to start receiving your FREE subscription to the *Shophalk* newsletter. This quarterly publication offers the latest information on waste reduction and safe waste management.

Find Ecology on the Internet at <http://www.wa.gov/ecology>

Find out if your local health department or local solid waste program sponsors projects to help your business. Call them to find out what sort of assistance they can provide. Many local health departments and solid waste programs offer brochures, workshops, on-site consultations or waste management services.

If you have special accommodation needs or require this document in alternative format, call the Hazardous Waste and Toxics Reduction Program at (360)407-6700 (Voice) or (360) 407-6006 (TDD).

On November 20, 1995, the Department of Ecology amended the state’s *Dangerous Waste Regulations*¹ after a two year study of the rule. The amendments include changes that affect all generators. This brochure is designed to inform all generators and interested citizens about the scope and impact of these changes.

Small Quantity Generators

The *Regulations* group generators into different categories based on the amount of waste they generate in each month or batch *and* the amount of waste they accumulate on-site. Generators must comply with more stringent levels of regulation depending on their status as small, medium or large quantity generators.

A small quantity generator still can *generate* up to 220 pounds of dangerous waste per month or batch, and up to 2.2 pounds of certain pesticides or poisons². These levels are called *quantity exclusion limits*. If a business generates less than these amounts, it is likely that they hold small quantity generator status.

The new amendments increase the amount of waste small quantity genera-

tors can *accumulate* on-site. Wastes with a quantity exclusion limit of 220 pounds can be stored on-site until the amount reaches 2200 pounds (except for wastes generated from cleaning up certain spilled chemicals³). Wastes with a quantity exclusion limit of 2.2 pounds can be accumulated on-site only until the amount reaches 2.2 pounds.

Raising the accumulation levels should reduce the dangerous waste transportation and disposal costs for small quantity generators in addition to encouraging on-site recycling.

Small quantity generators are exempt from most of the state and federal regulations if they stay within the *generation* and *accumulation* limits described above, and follow these steps:

- 4 Determine if their waste is a dangerous waste (“designation”).
- 4 Manage their waste in a way that does not pose a threat to human health or the environment.
- 4 Treat or dispose of their waste in an on-site facility *or* ensure that the waste is delivered to a permitted treatment, storage and disposal facility, to a legitimate recycler, to a county moderate risk waste facility or into the sanitary sewer if you **have permission from the local sewer authority**.

For an outline of the best waste management practices for small quantity generators, refer to Ecology publication #96-404, *What is a Small Quantity Generator? Your Regulatory Status Under the Dangerous Waste Regulations*.

Toxic Waste

The fish bioassay test is one of the tests used to determine if a waste would designate as “toxic”. Revisions to this test now make it comparable to the commonly used rat bioassay test. If you previously used a fish bioassay test to designate your waste, and it failed, you might want to evaluate your test data. You may also consider having your waste tested again to see if it still designates.

Extremely Hazardous Waste

This waste has been redefined. If you have Extremely Hazardous Waste, the revised regulations may open up some new options for you to accumulate and dispose of your waste.

- 4 Wastes with federal waste codes starting with “U” or “P” are no longer Extremely Hazardous Waste. Now all wastes with federal waste codes, including toxicity characteristic wastes, are dangerous waste.
- 4 Waste that previously designated as Extremely Hazardous Waste might now fall into the category of Dangerous Waste. Consider retesting the waste under the new testing procedure.

Carcinogenic Waste

This designation no longer exists. Instead, the waste will probably designate as a dangerous waste under the criteria of toxicity or persistence. Ecology recommends testing your waste to see if it is toxic and persistent.

Special Waste

Many types of wastes meet the definition of “special waste”. These wastes must be in solid form. They can be corrosive, Category D toxic waste, persistent but not extremely hazardous, or have PCB components. If you follow certain management standards, these wastes may be sent to a solid waste landfill with approval from the local health department. Call to see if they will accept it.

10 Percent Listed Solvent Rule

Ecology adopted a federal rule that may open up recycling options for waste solvents (F001-F005) listed on the Dangerous Waste Sources list found in the state regulations. If the product you used had less than ten percent total of any of the solvents on this list before you used it, this waste will not be a listed waste. The waste mixture still may be regulated. You should check to see if it designates as a dangerous waste under any other characteristic or criteria.

Polychlorinated Biphenyl (PCB) Waste

Under the old rules, transformers, capacitors or bushings that were being salvaged and contained polychlorinated biphenyls (W001) sometimes had to be rinsed after they were drained. Now draining only is sufficient. Very low levels of PCB wastes (less than 2 ppm) could potentially go to the landfill if your local health department approves.

¹ Washington Administrative Code (WAC), Chapter 173-303

² Wastes with a QEL of 2.2 pounds are Discarded Chemical Products with a P designation, wastes with Federal waste codes F020, F021, F022, F023, F026 and F027, and toxic Extremely Hazardous Waste.

³ Some wastes defined as acute hazardous wastes can be accumulated up to 220 pounds. These are soil debris that are the result of a clean up of a spilled chemical from the discarded chemical list in the regulations (the “P” list) (see section 173-303-9903 of the *Dangerous Waste Regulations*).